

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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LUBRILA FORD,

Plaintiff,

v.

ORDER  
12-CV-301A

CAROLYN W. COLVIN, Acting  
Commissioner of Social Security,

Defendant.

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The above-referenced case was referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1)(B). On August 14, 2013, Magistrate Judge Scott filed a Report and Recommendation, recommending that plaintiff's motion be granted in part and denied in part, that the Commissioner's final decision be vacated, that the case be remanded for further proceedings and that the Commissioner's motion be denied in its entirety.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Scott's Report and Recommendation, plaintiff's motion is granted in part and denied in part, the Commissioner's final decision is vacated and the case is remanded for further proceedings. The Court denies the Commissioner's motion for judgment on the pleadings.

The Clerk of Court shall take all steps necessary to close the case.  
SO ORDERED.

*s/ Richard J. Arcara*

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HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT JUDGE

DATED: September 3, 2013